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DEPT PASS TO BBG AND VOA

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SUBJECT: Afghan Minister Agrees in Principle to Launch Khost BBG
Transmitter on a Provisional Basis Pending Further Negotiations

¶1. (SBU) Summary: During a meeting with Minister Khorram, Ambassador Mussomeli proposed a compromise to resolve the impasse regarding the Khost transmitter: an exchange of diplomatic notes whereby the U.S. would formally request to begin immediate use of the Khost facility for a period of six months, during which time formal negotiations would take place to address any Afghan concerns about the overall agreement. Khorram told the Assistant Ambassador he would allow the use of the new BBG Khost transmitter on this provisional basis to allow time for further negotiations aimed to address Afghan concerns about the potential content of U.S. Pashtu language broadcasts from Afghan territory. A draft diplomatic note to the GIROA is included in paragraph five. End Summary.

¶2. (SBU) During a December 2 meeting at the Ministry of Information and Culture, Minister Khorram expressed concerns about possible VOA Pashtu language broadcasts which might contravene Afghan national interests.

¶3. (SBU) Khorram has, in the past, proposed an amendment to the BBG's current operating agreement with Afghanistan to incorporate the following language: "Afghanistan shall have the right to terminate the transmission of programs, following consultation on issues not exceeding 24 hours, that are deemed detrimental to the national interests of Afghanistan." According to Khorram, last May he met with BBG officials in Washington and that they had agreed to this provision, but have since rejected the proposal. Instead, BBG has urged a de-linking of the two issues, seeking an immediate approval for transmitting from the Khost tower, but also agreeing to open negotiations on the overall agreement. Ambassador Mussomeli pressed this proposal, but Khorram demurred, repeating that he could not understand why BBG had agreed to this language earlier, but not now.

¶4. (SBU) Ambassador Mussomeli explained the critical nature of the Khost facility, reviewed recent U.S.-Afghan discussions on the subject, and urged Khorram to accept the BBG proposal. Mussomeli ultimately proposed, and Minister Khorram agreed, to an exchange of diplomatic notes whereby the U.S. would formally request to begin using the Khost facility for a period not to exceed six months, during which time formal negotiations would take place to address any Afghan concerns about the overall agreement. If the sides fail to come to agreement within six months, the Afghan side would be permitted to withdraw its permission to continue to operate the Khost facility.

¶5. (SBU) Substantive portions of the text of the proposed draft Diplomatic note follows:

Begin text:

In reference to the Embassy's Diplomatic Note Number 09-1879 dated June 28, 2009, the Embassy wishes to inform the Ministry of Foreign Affairs that on December 2, 2009, U.S. Assistant Ambassador Joseph Mussomeli met with Minister of Information and Culture Khorram to

discuss the status of the Khost radio transmission facility. Minister Khorram conveyed his desire to negotiate certain amendments to the current BBG operating agreement in Afghanistan that would allow the Government of the Islamic Republic of Afghanistan to suspend BBG broadcasting rights from the Khost facility if that facility is used to transmit messages which are deemed detrimental to the national interests of Afghanistan. Given the high priority placed by the government of the United States on initiating use of the Khost transmission facility, Ambassador Mussomeli proposed that the Khost facility be granted provisional permission to operate for a period of six months, during which time the Governments of the United States and the Islamic Republic of Afghanistan would conduct further negotiations to seek to resolve any and all outstanding issues with respect to use of the Khost facility. Minister Khorram welcomed this proposal and agreed with it, suggesting that the agreement be formalized through an exchange of diplomatic notes. The Embassy of the United States hereby kindly requests that the Ministry convey this proposal formally to the Ministry of Information and Culture at its earliest convenience. End Draft Text.

MUSSOMELI